

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

TIMEBASE PTY LTD.,)	
)	
Plaintiff,)	File No. 07-CV-1687 (JNE/JJG)
vs.)	
)	
THE THOMSON CORPORATION,)	<u>AMENDED COMPLAINT</u>
WEST PUBLISHING CORPORATION,)	
AND WEST SERVICES, INC.)	
)	JURY TRIAL DEMANDED
Defendants.)	

Plaintiff, TimeBase Pty Ltd. ("TimeBase"), for its Amended Complaint, complains of defendants, The Thomson Corporation, West Publishing Corporation and West Services, Inc., as follows:

PARTIES, JURISDICTION AND VENUE

1. This is a claim for patent infringement arising under the patent laws of the United States, including 35 U.S.C. §271. This Court has exclusive jurisdiction over the subject matter of this action under 28 U.S.C. §1338(a).
2. TimeBase is organized under the laws of Australia, with its principal place of business at Level 1, 362 Kent Street, Sydney, NSW 2000.
3. TimeBase is the owner by assignment and has standing to sue for infringement of United States Patent No. 6,233,592, "System for Electronic Publishing."
4. The Thomson Corporation ("Thomson") is an alien corporation incorporated under the laws of Canada. Thomson sells publishing services and products nationwide and in this judicial district.

EXHIBIT A

5. West Publishing Corporation ("West Publishing") is incorporated under the laws of Minnesota with its headquarters at 610 Opperman Drive, Eagan, Minnesota.

6. West Services Inc. ("West Services") is incorporated under the laws of Delaware with its headquarters at 610 Opperman Drive, Eagan, Minnesota.

7. Thomson, West Publishing, and West Services have used, sold, or offered to sell products and services that infringe the '592 patent within this judicial district, and have advertised the sale of such products in this judicial district.

8. Thomson, West Publishing and West Services are subject to personal jurisdiction in this judicial district.

9. Venue is proper in this district under 28 U.S.C. §§1391(d) and 1400(b).

PATENT INFRINGEMENT

10. The defendants have infringed the '592 patent at least by making, using, importing, selling or offering to sell, and by inducing, aiding and/or abetting, encouraging or contributing to others' use of products and services that fall within the scope of one or more claims of the '592 patent. At present, the products embodying the patented invention are PastStat Locator, RegulationsPlus and Graphical Statutes. The claims asserted are 1 to 5 and 14 to 18. Additional products or claims may be identified in the course of discovery. Defendants have received notice of their infringement of the '592 patent.

11. The defendants' acts of infringement have injured TimeBase, and TimeBase is entitled to recover damages adequate to compensate it for the infringement that has occurred, but in no event less than a reasonable royalty.

12. The infringement by the defendants has injured and will continue to injure TimeBase unless and until such infringement is enjoined by this Court.

WHEREFORE, TimeBase respectfully requests judgment against the defendants and their subsidiaries and affiliates as follows:

A. An award of damages adequate to compensate TimeBase for the infringement that has occurred, together with prejudgment interest from the date infringement of the patent began and through the lifetime of the patent;

B. Any other damages permitted, including any for willful infringement, under 35 U.S.C. § 284;

C. A finding that this case is exceptional and an award to TimeBase of its attorneys' fees and expenses as provided by 35 U.S.C. § 285;

D. An injunction permanently prohibiting the defendants and all persons in active concert or participation with them, from further acts of infringement of the '592 patent; and

E. Such other and further relief as this Court or a jury may deem proper.

JURY DEMAND

Plaintiff demands a trial by jury.

Dated: May 10, 2007

GRAY, PLANT, MOOTY,
MOOTY & BENNETT, P.A.

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